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Progress of the Code Revision Committee

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See Article on This Committee in This Issue

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PROGRESS OF THE CODE REVISION COMMITTEE

By PHILIP S. VAN CISE*

SINCE the State Bar Association meeting at Colorado Springs the Committee on Revision of the Code to the Rules has met on every Monday night in studying the Code and the Rules, and tentatively adopting its first draft of the combined or revised procedure.

To date about 65 of the 86 Rules have been adopted for the first draft, and some of the others in substance. In addition to the Rules the committee has covered arbitration, affidavits, mandamus, venue, replevin or claim and delivery, garnishment, and attachment. This leaves the remaining Rules and the Code sections on certiorari, contempt, usurpation of office, disputed boundaries, foreclosure of mortgages, lis pendens, possession, quiet title, recovery of realty, and a few mis-

*Of Denver, Chairman of the Committee.

cellaneous sections. Reports have already been prepared by the subcommittees covering these matters, and will be presented to the main committee as soon as they can be reached.

It is our present plan to hold meetings on Monday nights until December 11th, after which time the committee will adjourn until January 15th and then resume its meetings until the initial draft has been completed. At that time we hope that the Bar Association will have funds to print one hundred copies of our initial draft, to which will be attached detailed statements of the amendments which have been made, of the statutes pertinent to each Rule, and data on Federal decisions to date, which drafts will be used by the committee.

We will then adjourn until such date as the committee shall fix, so that in the meantime the main committee may study the draft as a whole, the statutes, and the decisions. During that time the Forms Committee will prepare the necessary forms. The subcommittees will particularly check the Rules which have been assigned to their groups. The main committee will then be called back into action and will consider the reports of the subcommittees and complete its final draft. When this is finished we will ask the Bar Association to again provide funds to print this draft and mail it to every lawyer in the state. After an interval a Revision Committee, to be selected, will then re-check the work and the comments of the lawyers, and prepare the final draft to be submitted to the Supreme Court. From present indications this should be some time in the fall of 1940.

A list of the present members of the committee follows:

PHILIP S. VAN CISE, *Chairman*

Charles J. Simon	Joseph Hodges	H. Lawrence Hinkley
Harry S. Petersen	John L. Zanoni	Guy K. Brewster
Tom M. Burgess	Arthur H. Laws	W. Clayton Carpenter
Ben S. Wendelkin	William R. Eaton	Ernest L. Fowler
John A. Carruthers	William L. Cohn	John Turnquist
John M. Meikle	Bruce B. McCay	Fred Neef
Herschel Horn	Harry S. Silverstein	Walter Appel
Mark H. Harrington	Benjamin Griffith	Churchill Owen
Darwin D. Coit	Charles C. Sackmann	Louis A. Hellerstein
Horace N. Hawkins, Jr.	Charles J. Kelly	Royal C. Rubright
Charles H. Haines, Sr.	Thomas Keely	Golding Fairfield
Mortimer Stone	Frank E. Hickey	Percy S. Morris
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Edward L. Wood	Arthur R. Morrison	Donald B. Robertson
Ira L. Quiat	S. Hickman Walker	Wm. Hedges Robinson, Jr.
Jean S. Breitenstein	Edward V. Dunklee	Tom Chapin

Henry A. Dubbs, Past President of State Bar, Dies

Henry A. Dubbs, formerly of Denver, died at Lancaster, Pennsylvania, on November 12, 1939, while visiting his son and a brother. Mr. Dubbs was a member of the Colorado Bar Association since its inception in 1898. He was elected president of the association in 1913.

Born in Pottstown, Pennsylvania, on August 23, 1868, he received his education at Franklin and Marshall College, from which he was graduated with a Master of Arts degree in 1890. Immediately after graduation he came to Pueblo, where he was associated with Charles E. Gast and T. H. Devine after being admitted to the Colorado bar in that year.

After twenty years of practice in Pueblo, he moved to Denver. He formed a partnership with Henry C. Vidal in 1914 which association he continued until his death, although he had retired from active practice several years ago.

He was counsel in many of the early irrigation cases arising in the Arkansas valley and was associated with other attorneys in representing Colorado in the Kansas-Colorado irrigation dispute. Judge Robert E. Lewis appointed him special master in the Denver Tramway valuation case. Several years ago his Alma Mater conferred upon him an honorary LL.D. degree.

Mr. Dubbs was married in 1922, and his wife died two years later. He is survived by his son, Henry M. Dubbs, who is attending Hill School in Pottstown, and by two sisters and a brother.

He was a member of several local clubs and the Phi Kappa Psi fraternity. Funeral services were held in the East and burial was in Philadelphia.

Weld County Bar Has 100% Dues Record

The monthly meeting of the association was held Tuesday, November 7, at the Rex Cafe, and was very well attended.

Present as guests of the association were County Judge J. Edgar Chenoweth of Trinidad, and L. W. Newby of Longmont.

Weld County's bar association is happy to advise The Colorado Bar Association that all thirty-seven of the practi-

ing and acting attorneys residing in the county have paid their dues in full, and Weld County has registered another one hundred per cent financial record as far as dues are concerned.

It wishes to add further that two members who are not active in the practice in Weld County have also paid their dues so that an additional per cent can be added for our association.

The following committee appointments were made:

Committee on Legal Institutes:

Clay R. Apple, Chairman Robert G. Smith John W. O'Hagan

Committee on Uniform Fees:

Herbert Mann, Chairman William R. Baab Julian R. Dunn

Committee on Banquet with Medical Society in Weld County:

Roy Briggs, Chairman John W. Henderson Shirley Payne

This last committee was appointed to arrange a joint banquet between the members of the legal and medical professions in Weld County in order to create closer relationship between the two professions here.

—John W. O'Hagan, Correspondent.

Mesa County Bar Meeting

The Mesa County Bar Association held a dinner meeting at the LaCourt Hotel in Grand Junction on November 10. President Charles M. Holmes discussed the State Bar Convention; J. P. Helman reported for the Central Library Committee; and Silmon Smith made a few remarks concerning the new Federal Rules. E. B. Adams then gave a talk about the recent C. I. O. case in which he participated at Silverton, Colorado, and traced the growth of unions in the Colorado mining industry.

It was voted to have another meeting within thirty days for the purpose of election of officers.

J. Gregory Donohue, who has been practicing in Grand Junction, recently moved, and it is reported that he has hung out his shingle in Pueblo, his former home.

—John C. Banks, Correspondent.

President Kelly Is Guest of Neighboring Bar Associations

William R. Kelly, our traveling ambassador, this month journeys to Salt Lake City, where he will be the guest of the

Utah State Bar Association at its annual meeting on December 9. In October, Mr. Kelly went to Cheyenne to attend the meeting of the Wyoming Bar Association, which was considering by-laws proposed under the integrated bar act.

The Utah State Bar meeting has invited all of the bar association presidents from the surrounding states to attend the annual meeting as its guests. It is the desire of the Utah bar officials to encourage cooperative relationship between the state bar executives by these invitations.

The proposed integration of the Wyoming bar will encircle Colorado with integrated bar systems, Mr. Kelly reported from his Wyoming visit. Utah was one of the early states to integrate its bar and New Mexico followed several years ago. Mr. Kelly states that the Wyoming association is planning to launch a series of legal institutes this winter and spring.

W. Felder Cook

W. Felder Cook, member of the Denver and Colorado Bar Associations since 1922, died at Denver November 16, 1939, of pneumonia. Mr. Cook had been engaged in practice in Denver since 1921, and prior to that time was located at Hattiesburg, Mississippi.

He was born at Paulding, Miss., January 15, 1881, received an A.B. degree at Millsaps College, and his LL.B. degree at the University of Mississippi in 1905. He was admitted to the Mississippi bar the same year and practiced in that state until 1920, when he removed to Texas, being admitted to the bar there. The following year he moved to Denver, where he has since lived.

He was a Mason, a Shriner, a member of Kappa Alpha Fraternity, and of the Denver, the Colorado, and the American Bar Associations.

Mr. Cook is survived by his wife, a son, two daughters, a grandson, two brothers, and five sisters.

George A. Kilgore

George A. Kilgore, one of the pioneer attorneys in Otero County, died at Long Beach, California, Monday, November 20th, at the age of 89.

Mr. Kilgore began practicing law in La Junta in the early '80's and practiced at that place until 1923, when he retired from active practice, moving to California to live. During his practice in La Junta, Mr. Kilgore was actively interested in all civic matters and started the first public library for La Junta. He also introduced into La Junta the English elm which is now the most popular shade tree in the city.

—G. S. Cosand, Correspondent.

UNIVERSITY OF MICHIGAN LEGAL INSTITUTE

By WILL SHAFROTH, American Bar Association

An opportunity for the practicing lawyer to go back to school in the literal sense of the term is being offered in an institute announced by the University of Michigan Law School, to be held on its campus June 22 to 24. The subjects of Labor Law, Taxation and Wills and Trusts will be discussed by members of the law school faculty and by practicing lawyers and every effort will be made to provide something of interest and value to the members of the bar. Institutes in the past have been brought to the lawyers and have been arranged so as to necessitate the least possible effort on their part. The Michigan institute is a departure from this program. It does not seek to bring the institute to the lawyer but rather asks the lawyer to come to the institute for three days, leaving behind him business and professional duties. The excellent accommodations on the beautiful Law Quadrangle, presented by the late William W. Cook of the New York bar, are available for housing those who attend. The registration fee, including the cost of these rooms for three days, will be but \$10.00.

This new departure is interesting in itself as it will tend to show whether advanced legal education actually has a strong enough attraction to pull the lawyer out of his office. But the real significance of the three days of sessions may be much deeper. They may show that the law schools have a mission to perform with reference to the continued education of the practicing bar and that the urge for knowledge on the part of the bar is sufficient to bring lawyers back to the campus for a period of study. Michigan may be the pioneer in an interesting and significant future development in advanced legal education.

In general the work of the institute will be the discussion of specific problems. In Taxation the lecturers will be Professor E. Blythe Stason, who has been appointed to succeed Dean Henry M. Bates as